



Broncus Technologies, Inc.
1400 N. Shoreline Blvd.
Building A, Suite 8
Mountain View, CA 94043
www.broncus.com

(650) 428-1600
(650) 428-1542 fax

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To: U.S. Patent & Trademark Office From: Sanjay Bagade, Reg. No. 42,280
Broncus Technologies Inc.

Fax: (703) 872-9306

Date: November 9, 2004

Phone: (703) 872-9301

Pages: 13 (including fax cover sheet)

Re:

OFFICIAL FILING

Application No.: 10/079,605

Examiner: A. Roane

Art Unit: 3739

In re application of: Thomas KEAST et al.

Filed: February 21, 2002

For: DEVICES FOR APPLYING ENERGY TO TISSUE

Attorney Docket No.: 435712003521

Comments:

Papers enclosed herewith:

1. Transmittal (1 page)
2. Fee Transmittal (1 page)
3. Petition for Extension of Time (1 page)
4. Amendment/ Reply (9 pages)

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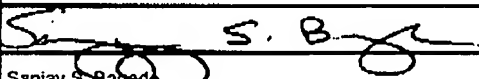
PTO/SB/21 (09-04)

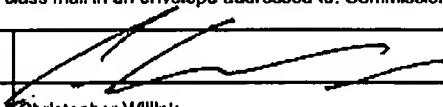
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/079,806
	Filing Date	02/21/2002
	First Named Inventor	Thomas KEAST
	Art Unit	3736
	Examiner Name	A. Roane
	Attorney Docket Number	435712003521
Total Number of Pages in This Submission	13	

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Amendment/Reply (9 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Fax cover sheet (1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Broncus Technologies, Inc.		
Signature			
Printed name	Sanjay S. Bagade		
Date	11/09/2004	Reg. No.	42,280

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Typed or printed name	Christopher Willink
Date	11/09/2004

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 215

Complete if Known

Application Number	10/079,605
Filing Date	02/21/2002
First Named Inventor	Thomas KEAST
Examiner Name	A. Roane
Art Unit	3736
Attorney Docket No.	435712003521

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
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FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent Claims	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	215
1253 880	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 480	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(p))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(u))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 215

SUBMITTED BY

Name (Print Type)	Sanjay S. Bagade	Registration No. (Attorney/Agent)	42280	Telephone	650-428-1600
Signature		Date	11/9/04		

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By


Christopher Willink

Application No. : 10/079,605

Confirmation No.: 7676

Applicant : Thomas KEAST et al.

Filed : 02/21/2002

Art Unit : 3736

Examiner : A. Roane

Docket Number : 435712003521

Customer Number : 36544

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to the Office Action mailed June 9, 2004, for which a response was due on September 9, 2004. Applicant submits a petition for a 2 month extension of time under 37 CFR 1.136(a), thereby extending the date to respond to November 9, 2004. Accordingly, this response is timely filed.

Amendments to the Claims begins on page 2**Remarks** begins on page 8.

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